

REMARKS

In the Office Action the Examiner noted that claims 2-4, 7, 17-18, and 23-25 are pending in the application, and the Examiner rejected all claims. By this Amendment, claims 2-4, 7, 17-18, and 23-25 have been amended. Support for these amendments can be found in at least in lines 24-37 on page 15, and lines 20-31 on page 20, of the application. No new matter has been presented. Thus, claims 2-4, 7, 17-18, and 23-25 remain pending in the application. The Examiner's rejections are traversed below, and reconsideration of all rejected claims is respectfully requested.

Entry of Amendment Under 37 C.F.R. §1.116

The Applicant requests entry of this Rule 116 Response because: the amendments were not earlier presented because the Applicant believed in good faith that the cited references did not disclose the present invention as previously claimed; the amendments of claims 2-4, 7, 17-18, and 23-25 should not entail any further search by the Examiner since no new issues are being raised; and the amendments do not significantly alter the scope of the claim, and place the application at least into a better form for purposes of appeal.

The Manual of Patent Examining Procedures sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

Claim Rejections Under 35 USC §103

In item 2 on pages 2-4 of the Office Action the Examiner rejected claims 2-4, 7, 17-18, and 24-25 under 35 U.S.C. §103(a) as being unpatentable over Japanese Patent Publication No. 2000-090215, issued to Inudou (hereinafter referred to as "Inudou") in view of United States Patent Application Publication No. 2003/0052788, issued to Chung (hereinafter referred to as "Chung").

Claim 2 of the present application, as amended, recites a control unit that detects a difference between successive locations of a non-contact IC card to provide a pointer function based on movement of the non-contact IC card. The Applicants respectfully submit that neither of the cited references, either alone or in combination, disclose or suggest at least this feature of claim 2.

Inudou discloses a non-contact IC card reader device for transmitting power to, and transmitting/receiving information to/from, the IC card. A card detecting means for locating the IC card near a plurality of antennas allows an antenna closest to the card to be selected for transmitting power to the IC card. By transmitting power from the antenna nearest to the IC card to the IC card, the strength of an electromagnetic field away from the device is reduced, and a wider range of communication area is provided (Abstract). For instance, at an automatic ticket gate, the card reader uses the antenna closest to the IC card to transmit/receive information between the card reader and the IC card. However, in direct contrast to claim 2 of the present application, Inudou does not disclose, suggest, nor even contemplate detecting a difference between successive locations of a non-contact IC card to provide a pointer function based on movement of the non-contact IC card. There is apparently no tracking of the movement of the IC card in Inudou, and certainly no pointer function provided based on successive locations of the IC card.

Further, Chung does not cure the deficiencies of Inudou in regard to claim 2 of the present application. The Examiner presented Chung as curing a deficiency in Inudou regarding simultaneously or alternately driving antennas. However, the simultaneous or alternate driving of antennas does not cure the deficiency of Inudou regarding detecting a difference between successive locations of the non-contact IC card to provide a pointer function based on movement of the non-contact IC card.

Therefore, the Applicants respectfully submit that neither Inudou nor Chung, either alone or in combination, disclose or suggest at least the above discussed feature of claim 2 of the present application. For a proper §103 rejection, the cited references must disclose all of the features of the rejected claim. Thus, as neither of the cited references disclose or suggest the discussed feature of claim 2, the Applicants respectfully submit that claim 2 patentably distinguishes over the cited references, and further respectfully request the withdrawal of the Examiner's §103 rejection.

Claims 3-4, 7, 17, and 24-25 all recite similar features to claim 2 regarding detecting a difference between successive locations of the non-contact IC card to provide a pointer function

based on movement of the non-contact IC card. Therefore, it is respectfully submitted that claims 3-4, 7, 17, and 24-25 also patentably distinguish over the cited references.

In item 3 on pages 4-5 of the Office Action the Examiner rejected claim 23 under 35 U.S.C. §103(a) as being unpatentable over Inudou and Chung, as discussed in regard to claim 2, in view of U.S. Patent No. 6,257,486, issued to Teicher et al. (hereinafter referred to as "Teicher"). The Applicants respectfully traverse the Examiner's rejection of this claim.

Claim 23 of the present application, as amended, recites detecting a difference between successive locations of the non-contact IC card to provide a pointer function based on movement of the non-contact IC card. As discussed previously in this Amendment, neither Inudou nor Chung disclose or suggest at least this feature of claim 23. Further, as Teicher apparently merely discloses a contact-less smart card with a keypad to be used by an operator to communicate with an external device, Teicher does not cure the deficiencies of Inudou and Chung regarding at least this feature. Therefore, it is respectfully submitted that claim 23 also patentably distinguishes over the cited references.

Summary

In accordance with the foregoing, claims 2-4, 7, 17-18, and 23-25 have been amended. No new matter has been presented. Thus, claims 2-4, 7, 17-18, and 23-25 remain pending and under consideration.

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

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If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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